IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 5TH FEBRUARY 2007 / 16TH MAGHA 1928

WP(C).No. 3884 of 2007(K)

PETITIONERS:
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1. **THOMAS JACOB,**
   PLAKKATTU HOUSE, PAYYANAMON P.O.,
   KONNI, PATHANAMTHITTA.

2. **GEORGE JACOB,**
   1096, 12TH A MAIN, HAL, II STAGE,
   INDIRA NAGAR, BANGALORE, KARNATAKA.

BY ADV. SRI.BECHU KURIAN THOMAS
SRI.NAVEEN SHERRY LUKOSE

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY**
   SECRETARY, DEPARTMENT OF FOREST,
   GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. **THE CHIEF CONSERVATOR OF FOREST,**
   (CUSTODIAN OF ECOLOGICALLY FRAGILE LANDS),
   THIRUVANANTHAPURAM.

3. **FOREST RANGE OFFICER,**
   KOZHIKODE.

BY SPL.GOVT.PLEADER SRI. RAMESH BABU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Thottathil B. Radhakrishnan, J.

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W.P.(C)No.3884 of 2007

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Dated this the 5th day of February, 2007.

JUDGMENT

Heard.

2. Petitioners have filed an application to denotify the areas claimed by them from the purview of the ecological fragile lands in terms of Act 21 of 2005.

3. In the circumstances, without entering on merits, this writ petition is disposed of directing that such application shall be taken up, considered and disposed of in accordance with law, after affording the petitioners an opportunity of being heard, as expeditiously as possible, at any rate, within an outer limit of six months from the date of receipt of a copy of this judgment. The parties will, in the meanwhile, maintain status quo regarding the management of the lands in question and the petitioners will be entitled to carry out normal maintenance and agricultural

operations. However, no trees will be cut down or removed. The status of the land shall not be changed pending consideration of the matter by the competent authority, as directed above.

Thottathil B.Radhakrishnan,
Judge.

sl.